

Apr. 18, 2011 3:29PM Stanley Black&Decker

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APR 18 2011

Serial No. 10/632,561

Resp. to Off. Action of Mar. 1, 2011

UTILITY PATENT

B&D No. JK01243

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Jaime GARCIA et al.

Serial No.: 10/632,561

Examiner: J. Swinney

Filed: July 31, 2003

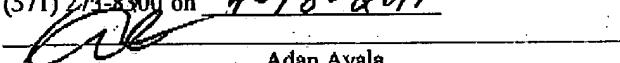
Group Art Unit: 3724

For: OPTICAL ALIGNMENT SYSTEM

Assistant Commissioner for Patents  
Washington, DC 20231

**RESPONSE TO OFFICE ACTION**

I, Adan Ayala, PTO Reg. No. 38,373, hereby certify that this correspondence  
is being facsimile transmitted to the Patent and Trademark Office Fax No.  
(571) 273-8300 on 4-18-2011

  
Adan Ayala

Dear Sir:

This is in response to the Office action of March 1, 2011.

Currently in the above-identified application are Claims 35-36 and 38-41.

The Examiner rejected Claims 35-36 and 40 under 35 USC §103(a) as unpatentable over US Patent No. 4,885,965 ("Weissman") in view of US Patent No. 5,875,698 ("Ceroll"). The Examiner also rejected Claim 38 under 35 USC § 103(a) as being unpatentable over Weissman/Ceroll in view of US Patent No. 7,159,497 ("Weusthof").<sup>1</sup> Similarly, the Examiner rejected Claim 39 under 35 USC § 103(a) as being unpatentable over Weissman/Ceroll in view of Japanese Patent Document No. JP 08138420 A ("Takahashi"). Finally, the Examiner rejected

<sup>1</sup> During a telephone conversation with the Examiner on April 14, 2011, the Examiner confirmed that the rejection of Claim 38 based on Peot as stated in the Office Action was in error and that it should have been based on the Weissman/Ceroll combination in view of Weusthof.